

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEVON BOWMAN,

Defendant.

NO. CR-17-00280-HE

ORDER

At the sentencing hearing held October 31, 2018, the court sentenced defendant to 210 months imprisonment as to various counts, requiring those sentences to run concurrently with each other, and to 120 months as to the § 924(c)(1)(A) charge (count 2). The court directed that the federal sentences run concurrently with any state sentences imposed in certain specified pending proceedings. The court was then under the impression that the limitation in 18 U.S.C. § 924(c)(1)(D)(2) --- that any term imposed under that section not run concurrently with “any other term of imprisonment” --- applied only to other federal sentences. That assumption was incorrect. *See United States v. Gonzales*, 520 U.S. 1 (1997). The sentence as imposed on October 31, 2018, is therefore **VACATED**. A further sentencing hearing, directed solely to the impact of the above correction, is set for **November 15, 2018, at 2:00 p.m.**, in Courtroom No. 301.

IT IS SO ORDERED.

Dated this 8th day of November, 2018.


JOE HEATON
CHIEF U.S. DISTRICT JUDGE